

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): An optical recording medium ~~[[that]]~~ used for a near field recording and the optical recording medium receives light via a side at which a transparent heat radiating layer is positioned to thereby perform at least one of recording and reproducing information, comprising:

a substrate;

a ~~recording~~ metal reflective layer formed on the substrate;

a first protective layer of Zn-SiO₂ formed on the metal reflective layer;

a recording layer formed on the first protective layer, the recording layer being made of a material undergoing a phase change and configured to change a complex index of refraction under said light;

a ~~[[first]]~~ second protective layer of Zn-SiO₂ formed on the recording layer; and

the transparent heat radiating layer formed on the ~~[[first]]~~ second protective layer and having a heat conductivity higher than the second protective layer so as to disperse heat from the recording layer.

Claims 2-7 (Canceled).

Claim 8 (Currently Amended): An optical recording medium as set forth in claim ~~[[5]]~~ 1, wherein the transparent heat radiating layer comprises at least one of BN, AlN, SiN, SiC, and Ta₂O₅, ~~and diamond-like carbon.~~

Claim 9 (Previously Presented): An optical recording medium as set forth in claim 1, wherein the transparent heat radiating layer is a multi-layer film comprising a plurality of layers stacked together, having substantially same optical constants and having different heat constants.

Claim 10 (Canceled).

Claim 11 (Previously Presented): An optical recording medium as set forth in claim 1, further comprising an antireflection layer formed on the transparent heat radiating layer.

Claim 12 (Previously Presented): An optical recording medium as set forth in claim 1, further comprising an antireflection layer between the transparent heat radiating layer and the recording layer.

Claims 13-59 (Canceled).

Claim 60 (New): An optical recording medium as set forth in claim 1, wherein the recording layer comprises GeSbTe.